

NOTICE OF EMERGENCY RULE REPEAL AND PROMULGATION

AGENCY: Department of Marine Resources

STATUTORY AUTHORITY: 12 M.R.S.A. Sections 6172 and 6192

RULE REPEAL AND PROMULGATION: DMR Regulation 95.05 MM, Closed Area 26-N, South, North and Eastern portions of Maple Juice Cove, Cushing, promulgated on September 6, 2000, is repealed and replaced with the following rule:

TEXT OF RULE: DMR Regulation 95.05 MM, No. 26-N Maple Juice Cove, Cushing

1. Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, mussels, quahogs or oysters taken from the shores, flats and waters south of Maple Juice Cove, Cushing, inside of a line beginning at the end of Henderson Lane on Stones Point, then extending east to Green Can #7, then extending southwest to the next prominent point south of Stones Point.
2. Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, mussels, quahogs or oysters taken from the shores, flats and waters of the southwest cove in Maple Juice Cove, Cushing, inside of a line beginning at the end of Henderson Lane on Stones Point, then extending northwest to the unnamed point located approximately 500 yards east of the intersection of Pleasant Point Road and Stones Point Road.
3. Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, mussels, quahogs or oysters taken from the shores, flats and waters of the northern cove in Maple Juice Cove, Cushing, north of a line beginning at a red painted post located approximately 300 yards south of the intersection of Salt Pond Rd and Pleasant Point Road, then extending due east to the unnamed point on the opposite shore.
4. Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, mussels, quahogs or oysters taken from the shores, flats and waters of Burton Point in Maple Juice Cove, Cushing, inside of a line beginning at a red painted post on the western side of Burton Point, then extending south to Green Can #7, then extending northeast to a red painted post on the eastern side of Burton Point.

Violation of any provision of this regulation shall be a Class D Crime (12 M.R.S.A. Section 6204).

EFFECTIVE DATE: February 26, 2004

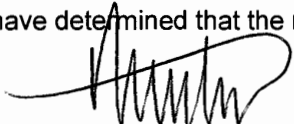
AGENCY CONTACT PERSON: Amy M. Fitzpatrick
Department of Marine Resources
194 McKown Point Road
West Boothbay Harbor, ME 04575

THE COURIER GAZETTE
March 2, 2004

STATEMENT OF FACT AND POLICY

The Commissioner of the Maine Department of Marine Resources repeals the emergency DMR Regulation 95.05 MM, Closed Area No. 26-N, South, North, and Eastern portions of Maple Juice Cove, Cushing, promulgated on September 6, 2000, and replaces it with a new regulation. This new regulation closes a small section of the shore south of Stones Point and reduces the size of the closures west of Stones Point.

Department personnel have sampled the area and have determined that the newly opened area is no longer subject to intermittent microbiological pollution.



DAVID ETNIER, DEPUTY COMMISSIONER



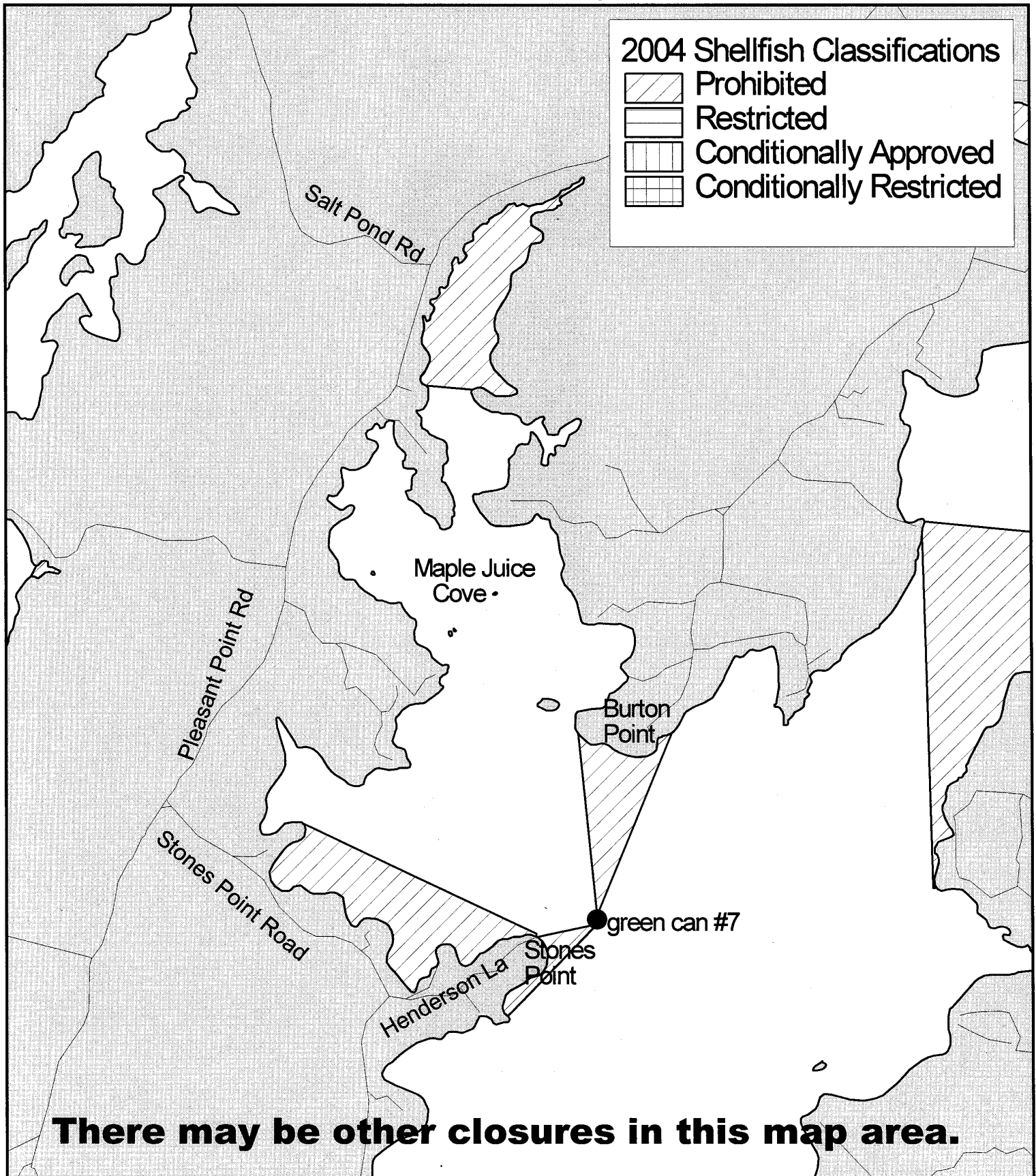
Maine Department of Marine Resources

Legal Notice of Shellfish Closure Area

2/26/04



C26N Maple Juice Cove, Cushing



0.4 0 0.4 0.8 Miles